NOTES

MYSORE GOVERNMENT SECRETARIAT

CLASS B (1)

File No. AFD 119 DST 57

Department of Agr

Section Forest Bs

Subject: Grant of PS of Chandavar in Honnavar Tal

References:

Date	To whom sent	Notes and instructions
	Temp 26/4/57 14/3/58	A 1/4/58

ಎಸ್. ನಾರಾಯಣಸ್ವಾಮಿ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ
ಕೃಷಿ, ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ

Genera[redacted]nd Revenue Secretariat

Request for grant of T.S. No. 44 of Chandavar in Honnavar taluka, Dist. N. Kanara, held on Hangami lease by Shri Vasudeo Ramaya Kamat.

App. F. 111-2 (1)

File No. (1) of 19

WD 02201—GPB—10,000—7-1-53

Serial No.

1) Letter No. S 105/IV/244, Dated 16-2-1957 from the Collector of Kanara, requesting to issue orders ~~to~~ reg grant of T.S. 44 of Chandavar in Honnavar Taluka.

The letter No. S 105/IV/244 Dated 19-12-1956 from the Collector on which Govt. orders are required is not traceable. and hence he may be asked to send a copy of the same with relevent papers. On receipt of papers from him necessary action will be taken, & draft letter to the Collector is put up for approval.

26/10/57

S.V. Pandhe

28.4.57

Asst. 2/5

A1-D 119/2/57

2) Letters No. 6/11-6-57 and 23-8-57 from the Collector of N. Kanara recommending a piece of forest land measuring 8 gs out of T.S. No. 44 of Chandavar which is already given on Hangam lease to Shri Vasudev Ramaya Kamat in 1954. It is reported that Shri Vasudev has constructed a residential building in the area and some area has been used for fruit cultivation. The building is within the area of control line of 150' from the centre of the W.L.B. Road. The occupant is prepared to remove his structure at the time of road widening. The D.C.O is not in favour of grant as it will lead to unnecessary legal complications when the area is required by the W.L.B. for road widening.

B

12/10/57

Note-Contn. Sheet.

(3)

File No. AFD 119 (DSTS) of 195

General and Revenue Secretariat

Serial No.

3) As the land is required for non agriculture purpose, and it is not required by the Forest Deptt for reservation of Forest or for any afforestation scheme, the area may be disforested as per recommendation of the Collector and granted to Shri Vasudeo for non-agricultural purpose subject to the conditions suggested by the Collector in his letter dated 22-8-56. If approved the draft G.O. reg disforestment is put up for approval.

[illegible] 16/8/57

4) The file may be put up [illegible] (Sec [illegible])

[illegible] RO

[illegible] 24/8

SECRETARY TO GOVERNMENT No. 20 AUG [illegible] REVENUE

5) U.O. No. 19-DT. 6-9-57

Collector's letter at p. 7/c may kindly be perused.

If approved, the Div. Commr. Belgaum may kindly be asked to offer his unofficial remarks in the first instance.

6752

[illegible] 31/8

(B)

5-9-57 [illegible] 5/9/57 US (Ret B) U.O. No. 19/57. B/6-9-57

4509/RC(B) 2 - SEP 1957 REVENUE DEPT.

Forwarded u/o & B

6) Divisional Commissioner, Belgaum for remarks

[illegible] Rgi

[illegible] 6/9

U.O. 19/RC(B) 6 - SEP 1957 MYSORE GOVT

9 - SEP 1957

(305)

4509/B

8) The remarks of the Div. Commr. Belgaum may perhaps be accepted.

AFD 114 DS.137

9) May be approved subject to the conditions mentioned by the Divisional Comr in his a.o. note of 25.9.57

DS) 15/10

14.10
14/10/57

DSR 4719
17.10

BN
17.10.57
D.S.R.D.

10) A&RD

Forest Section:

10) The RD may be requested to suggest revised conditions subject to which the land should be granted, on the lines suggested by the Div Commissioner in consultation with the Collector; so that necessary orders will be issued mentioning therein, the necessary conditions.

18/10/57

11) The conditions proposed by the Comnr are accepted by R.D. It is not again go to R.D. The grant may be made subject to conditions suggested by the Collector & as amended by the Div. Comnr.

Minuting

12) (Div. Agri.) Approved 19/x

31/10

P.T.O.

OFFICE OF THE MINISTER FOR AGRICULTURE
No. 3546
21 OCT 1957
BANGALORE

A/D 119 DST 57 (5)

13) The necessary condition has been substituted in place of conditions ~~as~~ No. (VI) and (VII) as suggested by the Commissioner. The Draft G.O. ~~may be signed if approved~~ is for appr.

Wes 21/10/57

(14) The claim substituted after is for appeal.

E.V. Pillai

Dony 5/4 ok

2.x.57 27/c

(15) Letter No. S. 105/IV/244, dated 8-11-1957 from the Collector Kanara requesting to issue orders. Orders have since been issued on 25-11-57. This may be filed after perusal.

Wes 26/12/57

U.S.: P.V. Pillai

3.1.58.

29/c

(16) Letter No. B3-99-827/57, dated 6-1-58 from the C.C.P. B'lore requesting to send a copy of the G.O. dated 7-11-57 along with case papers. The G.O. along with the case papers have been sent to the C.C.P. on 7/11-57. This has been verified from the Dispatch Register. The C.C.P. may be informed accordingly. A draft letter to the C.C.P. is put up for approval.

Wes 21/1/58.

U 23/1

Sd 25.1.58

Mysore Government Secretariat

File No. APR 119 DS of 195

[App. F. III 2

Serial No.

17) Letter No. S 105/IV/346, dated 29-1-1958 from the ~~collector~~ Dy Comm Kanara requesting to return the case papers. A draft letter to the ~~C.C.F.~~ Dy Comm is put up for approval.

U.S.

Ues 8/2/58

U 10/2

Isme

EO Pl

11.2.58

18) Letter No. B3-99-827/57, dated 6-2-1958 from the C.C.F., requesting to return the case papers. The case papers have already been sent to the Dy Comm Kanara Dist. on 18-2-58. The C.C.F. may be informed accordingly. A draft letter to the C.C.F. is put up for approval.

Ues 19/2/58

DS

EO Pl

20.2.58

19) Letter No. RB/WS-III-B/861, from the Dy Comm Belgaum communicating that he has sent the case papers to the Dy Comm Karwar as they are concerned with him. The letter may be filed after perusal.

Ues 14/3/58

DS

EO Pl

16/3/58

Note.—Contn. Sheet

(7) 11c
A7D 731

21 FEB 1957

Letter

To

The Secretary to Government,
Agriculture & Forest Department,
Mysore State, Bangalore.

No.S 105/IV/244 Karwar, 16-2-1957.

Subject: Request for grant of F.S.No.44 of Chandavar in Honavar taluka, District: North Kanara, held on hangami lease by Shri Vasudev Ramayya Kamat...

Reference: This office letter No.S 105/IV/244 dated 19-12-1956.

Early orders of Government may please be obtained.

P.A.
for Collector of Kanara.

As was found in the 2nd file of Bombay case cited in the Tribunal.

16/2

9 - SEP 1957

(5) (8) P/C

Appendix F. G.—1]

SUBJECT: Request for grant of 12 S. No. 44 of Chandavar in Honavar Taluka, Dist. N. Kanara, held on Hargani lease by Shri Vasudev Ramayya Kamat

Diary No. of letter replied to .....

Mysore Government Secretariat.

( )

the 195 .

Date of issue: Issued 6.5.57

Signed by .....

List of enclosures .....

Copied by .....

Examined by .....

Section

File No.

Serial No.

No. AFD 119 DAR 57 dt. 6.5.57

To

The Collector of Kanara Karwar

Sir

Ref: Your letter No. S105/IV/244 dated 16-2-1957, on the above cited subject.

2) I am directed to state that your letter No. S105/IV/244 dated 19-12-1956 in this connection is not ~~see~~ traceable. ~~You should~~ Please therefore send a copy of the same with relevant papers if any to Govt at an early date for taking further action in the matter.

By order

Dy Secy to Govt (A&F) D.

WD 0257—GPB—P.Z.S.—1,20,000—6-6-55

Ms 26/4 Dy Secy to Govt (A&F) D.

(7) 5114/AFD (9)

Letter

To

The Secretary to Government,
Agriculture and Forests Department,
Mysore State, Bangalore.

No.S.105/IV/244. Via Karwar, 6-6-1957

Subject: Request for grant of F.S.No.44 of Chandavar in Honavar Taluka, District: North Kanara held on Hangami lease by Shri Vasudev Ramayya Kamat.

Reference: Government Letter, Agriculture & Forests Department No.AFD-119 dar 57 dated 6-5-1957.

18/6/57

The whole correspondence, together with all relevant papers, was submitted to the Government of Bombay in Agriculture & Forests Department under this office letter No.S.105/IV/244 dated 23-8-1956.

A copy of this letter and a copy of this office letter No.S.105/IV/244 dated 19-12-1956 are sent herewith for perusal.

P.A.
for Collector of Kanara.

sbm.4/6.

(9) (10)

7/C

Letter

To

The Secretary to Government,
Agriculture & Forests Department,
Bombay.

No. S.105/IV/244. Via Karwar, 23-8-1956

Subject: Grant of Forest land out of F.S.No. 44 of Chandavar held on hangami lease.

In submitting herewith the correspondence regarding grant of an area of 0-8-0 (G) out of F.S.No.44 of Chandavar in Honavar taluka, I have to state as under:

2. The applicant Shri Vasudev Ramayya Kamat of Chandavar was granted an area of 0-8-0 (G) out of F.S. No. 44 of Chandavar village in Honavar taluka for erecting a house for residential purpose on hangami lease by the Divisional Forest Officer, W.D.,Kanara in the year 1954 (page 25). On receipt of Government Resolution, Agriculture & Forests Department No. FDM 1054 dated 7-3-1955, the Divisional Forest Officer, submitted proposals for disforestment of the area in favour of the hangami lessee (D.F.O's endorsement No. G/15744 of 1955-56 dated 1-3-1956, page 43).

3. During the course of enquiry, it is reported that the grazing area of the village is adequate being 4201-29-0 (A.G.) as against 702 heads of cattle and that the applicant has no lands either as owner or as tenant. It is further reported that the villagers have got strong objection for the disposal of this land to the applicant as it adjoins the Kumta-Siddapur District Local Board road. The Mamlatdar, on enquiry, has reported that the objections put forth by the villagers are not tenable as there is sufficient area adjoining this road (Mamlatdar's

report is at page 81). The residents of the village did not object to the grant of the area at the initial atage i.e.while granting the land on hangami lease (statements given by the villagers on 29-9-1954 at page 17). The objections raised now do not, therefore, deserve any consideration as the lessee has already constructed his residential house.

4. The house has already been constructed at a distance of 60 feet from the centre of the D.L.B.road as against the set back limit of 100 feet from the centre of the road which is classified as Provincial High Way. But while grant--ing the land on hangami lease by the Forest Department, the condition of set back limit of 100 feet was not imposed in the lease . But from the enquiry papers, it is seen that the lessee has constructed his residential house and has used the remaining area for fruit cultivation by expending an amount of Rs. 300/- (page 40). Hence the Ribbon Development orders may not be enforced in this case, as the area is used for agricultural purpose.

5. The applicant is however, willing to remove the structure at the time of road widening without claiming any compensation (page 85). The applicant has no other land either on khata or as tenant for constructing his house (Vide Mamlatdar's report at page 81). If the area of 8 gunthas is granted after disforestment for agricultural purpose, it will form a fragment. The area is to be granted for residential purpose. The applicant is however, willing to pay non-agricultural assessment over the area. The Mamlatdar has also recommended the grant of the area after forming it into a non-agricultural S.No.

6. In view of the orders contained in G.R. A & F.D. No.FDM 1054 dated 28-1-1955, and FDM 1054 dated 7-3-1955, the Collector can grant the area after dis--forestment only in case the area is required for agricultural purpose. There is no provision in the said G.Rs to grant the area by the Collector for non-agricul--tural use.

7. Under these circumstances, Government may be moved to accord sanction to the disforestment of an area of 8 gunthas out of F.S No.44 of Chandavar in Honavar taluka and to its grant in favour of Shri Vasudev Ramayya Kamat of Chandavar subject to the following terms and conditions:

1. The tenure shall be new and impartible.
2. The grantee shall pay the occupancy price to be fixed by the Prant Officer.
3. The grantee shall pay the measurement fees to be fixed by the Survey Department.
4. The grantee shall pay the non-agricultural assessment to be fixed by the Prant Officer under Rule 81(2) Land Revenue Rules.
5. The grantee shall preserve the forest trees in the area till disposed of by the Forest Department.
6. The grantee shall remove the present house and vacate the area without claiming any compensation if the land is required hereafter for road widening purpose.
7. The grantee shall comply with the building conditions and Ribbon Development orders at the time of rebuilding the house.
8. The grantee shall execute the kabulayat in form 'H' appended to Land Revenue Rules embodying the above mentioned additional conditions.
9. The area shall be measured and formed into a separate S.No. assessing it to non-agricul--tural assessment.

For breach of any of the above conditions, the grant shall be liable for cancellation at the discretion of the Collector.

Sd. M.A.Patel.,

Collector of Kanara.

sbm. 4/6.

(13)

Letter

To

The Secretary to Government,
Agriculture & Forests Department,
Mysore State, Bangalore.

No.S.105/IV/244. Karwar,15/19-12-1956

Subject: Request for grant of F.S.No.44 of Chandavar in Honavar Taluka, District:North Kanara held on hangami lease by Shri Vasudev Ramayya Kamat.

Reference: This office letter No. S.105/IV/244 of 23-8-1956 addressed to the Government of Bombay in Agriculture & Forests Department.

Early orders of Government may please be obtained.

Sd. x x x
for Collector of Kanara.

sbm.4/6.

Letter

To

The Secretary to Government,
Agriculture & Forest Department,
Mysore State, Bangalore.

6 AUG 1957

No.S 105/IV/~~2104~~ 244 Karwar, 2-8-1957.

Subject: Request for grant of F.S.No.44 of Chandavar in Honavar taluka, District N.Kanara held on hangami lease by Shri Vasudev Ramayya Kamat ..

Reference: This office letter No.S 105/IV/244 of 6-6-1957.

Early orders of Government may please be obtained.

MYSORE GOVERNMENT SECRETARIAT
NO 7628
AUG 1957
ANIMAL HUSBANDRY & FOREST BRANCH

(B.G.Kaujalgi)
P.A. to
Collector of Kanara.

(17) (13) 91 15/c

Bo.B3-99-827/57
Sn on file

Chief Conservator's Office,
Bangalore, dated 6-8-57.

MYSORE GOVERNMENT SECRETARIAT
NO. 7887
13 AUG 1957
ANIMAL HUSBANDARY & FOREST BRANCH

To

The Secretary to Government,
Agriculture and Forest Department,
Bangalore.

Sir,

SECRETARY TO GOVT.
No.
13 AUG 1957

Sub:-Grant of forest land out of F.S.No.44 of Chandavar held on Hongami lease.

I forward herewith a copy of letter No.22/206/903 dated 16-7-1957 from the Conservator of Forests, Belgaum Circle together with the case papers (pages 1-123) on the above subject for favour of kind perusal. In the circumstances reported by the Conservator of Forests, I am not in favour of disafforesting the area.

The case papers may kindly be returned when done with.

Yours faithfully,

M. A. Muthanna

(M.A.MUTHANNA)
Chief Conservator of Forests.

Fl
ed
6/8/57

Below No.C/430 dated 22/24th June 1957 from the Divisional Forest Officer, W.D.Kanara.

...

Subject:-Grant of forest land out of F.S.No.44 of Chandavar held on hangami lease.

No.22/206/ 903 of 1957-58.
Belgaum, 16 July, 1957.

Submitted to the Secretary to Government of Mysore, Agriculture and Forests Departments, Bangalore with reference to G.L. A & F.Dept.Bombay's No.FLD.1356/95480-E of 15-9-1956.

2. The applicant Shri.Vasudev Ramayya Kamat of Chandavar was granted an area of 8 gunthas from F.S.No.44 of Chandavar in Honavar Taluka for residential purposes on hangami lease by the D.F.O. W.D.Kanara in the year 1954. He has constructed a house at a distance of 60' from the centre of the road and utilised the remaining area for fruittree cultivation. The area in question, it is reported, falls within the control line 150' from the centre of the road. The President D.L.B.Kanara has no objection to disforest the area on condition that the grantee should vacate the area when required for road widening purpose without claiming compensation etc. The undersigned is not in favour of disforestment of the area since the disforestment will lead to unnecessary legal complications when the area is required by the District Local Board for widening of the road.

(N.S.Kaikini)

Conservator of Forests,B.C.

Submitted through

(P.T.O)

the Chief Conservator of Forests in Mysore, Bangalore.

Copy forwarded to the D.F.O. W.D.Kanara with reference to his No.C/430 of 22/24-6-1957 for information.

R.12/7. P.13/7.

conditions

(i) The tenure shall be new and impartible.

(ii) The grantee shall pay the occupancy price to be fixed by the Grant Officer.

(iii) The grantee shall pay the measurement fees to be fixed by the Survey Deptt.

(iv) The grantee shall pay the N.A Assessment to be fixed by the Grant Officer under Rule 81(2) Land Rev. Rules

(v) The grantee shall preserve the forest trees in the area till disposed of by the Forest Deptt.

(vi) The grantee shall remove the present house and vacate the area without claiming any compensation if the land is required hereafter for road widening purpose.

(vii) The grantee shall comply with the building conditions and Ribbon Dev. orders at the time of rebuilding the house.

(vi) The grantee should remove the structure of the present house beyond the building line of 100' from the centre of the road.

(viii) The grantee shall execute the Kabuliyat in form 'H' appended to Land Rev Rules embodying the above mentioned addl conditions.

(ix) The area shall be measured and formed into a separate S.No. assessing it to N.A Assessment.

(x) For breach of any of the above conditions the grant shall be liable for cancellation at the discretion of the Collector.

By order etc.

Dy Secy to Govt
Ag PD

Ves
16/8/5

P.T.O.

List of Enclosures.

Copied by

Examined by

(21) (19) 19/c

M. G. S. App. F VI—G. 2]

SUBJECT: Grant of forest land out of F.S. No. 44 of Chandawar in Honawar Taluk Dist. N. Kanara, held on Hangami lease by Shri Vasudev Ramayya Kamat.

Diary No. of letter replied to.....

Mysore Government Secretariat

( )

the 195 .

Date of issue.....195

Signed by.....

Issued with Case p.p.

May this be—

(i) printed?
(ii) treated as a Standing Order?
(iii) published in the Gazette, English Part?
(iv) translated?
(v) placed at the disposal of the Press?
(vi) published in the Gazette, Kannada Part?

Section

Serial No.

File No.

Proceedings of the Government of Mysore

Read—letter No. 105/IV/244, dated 23-8-58 from the Collector of N. Kanara forwarding the disforestment of an area of 8 gts out of F.S. No. 44 of Chandawar held on Hangami lease.

Read letter No. B3-79-827/57, dated 13-8-57 from the C.C.F. B'lore.

7.11.57

Order thereon.—No. AFD 119 DST 57, dated 7.11.57.

An area of 8 gts out of F.S. No. 44 of Chandawar in Honawar Taluka Dist. N. Kanara, which is already held on hangami lease by Shri Vasudev Ramayya Kamat, should be disforested and surrendered to the R.D. for being granted to Shri Vasudev for non-agricultural purpose subject to the following

M. G. S. App. F. G. 3]

MYSORE GOVERNMENT

SECRETARIAT.

(Continuation sheet draft form).

(23) 21/C (20)

Copy fwd for information to :—

(1) The Div Commissioner Belgaum.

(2) Collector of N. Kanara Karwar

(3) The C.C.F. B'lore.

2) He is requested to submit to Govt draft notification reg disforestment of the land under reference for publication in the Gazette.

3) The case papers (Pages 1 to 129) are returned herewith.

(4) The Cons of Forests, Belgaum.

By order etc.

Sd

Ag Dy Sey to Govt
16/8/5

WD 0258—GPB—PZS-1,20,000—1-7-55.

Below U.O.R.-No.19/57 dated 6-9-1957 from the Secretary to Government Revenue Department, Bangalore, regarding grant of 8 gunthas of land out of the F.S.No. 44 of Chandavar village in Honavar taluka of North Kanara District to Shri V.R.Kamat for erecting building for residential use.

.....

Returned with compliments.

2. In this case, the applicant has already erected a building for residential use on the area of 8 gunthas of land leased out to him by the Forest Department. The area in question should not have been leased out to the applicant on hangami lagan for non-agricultural purpose, in the first instance by the authorities of the Forest Department, without obtaining prior approval of Government as it was un-authorised.

3. Since however, the Divisional Forest Officer and the Collector have no objection to the grant of the land to the applicant and since the land is not required for forest purposes, it may be granted to the applicant on the conditions proposed by the Collector except however that the condition regarding shifting of the erection beyond the building line of 100' from the centre of the road should be enforced now only. The conditions Nos. (vi) and (vii) proposed by the Collector are not likely to be effective in future as the applicant would put forth the plea of hard-ship etc., and would come in the way of removal of erection when it would become necessary to do so. It is desirable that he should be made to remove the erection beyond the building line at this stage only. If this necessitates the grant of a little more additional land, Government may also agree to it. The conditions Nos.(vi) and (vii) proposed

by the--

(22)

by the Collector may therefore be substituted by a condition on the above lines.

Divisional Commissioner, Belgaum. 24.9.57.

.....

U.O.R. No.G B. F.O.R. SR-65 dated 25-9-57 to the Secretary to Government Revenue Department.

SECRETARY TO GOVERNMENT
No B
30 SEP 1957
REVENUE DEPARTMENT

B.

V.B.V.

MYSORE GOVERNMENT SECRETARIAT
5374
4 OCT 1957
REVENUE BRANCH

(23) 25/2

PROCEEDINGS OF THE GOVERNMENT OF MYSORE

Read:

Letter No. 105/IV/244, dated 23-8-56 from the Collector of N. Kanara, Karwar proposing the disforestment of an area of 8 guntas out of F.S.No. 44 of Chandavar held on hangami lease.

2. Letter No. B3-79-827/57, dated 13-8-57 from the Chief Conservator of Forests, Bangalore.

ORDER NO. AFD 119 DST 57

BANGALORE, DATED, 7. 11. 57

An area of 8 guntas out of F.S.No. 44 of Chandavar in Honawar Taluka, District North Kanara, which is already held on hangami lease by Shri Vasudeo Ramayya Kamat, should be disforested and surrendered to the Revenue Department for being granted to Shri Vasudeo for non-agricultural purpose, subject to the following conditions.

i) The tenure shall be new and impartiable.

ii) The grantee shall pay the occupancy price to be fixed by the Prant Officer.

iii) The grantee shall pay the measurement fees to be fixed by the Survey Department.

iv) The grantee shall pay the non-agricultural assessment to be fixed by the Prant Officer under Rule 81(2) Land Revenue Rules.

v) The grantee shall preserve the forest trees in the area till disposed of by the Forest Department.

vi) The grantee should remove the structure of the present house beyond the building line of 100' from the Centre of the Road.

vii) The grantee shall execute the kabulayat in form 'H' appended to Land Revenue Rules embodying the above mentioned additional conditions.

viii) The area shall be measured and formed into a separate S.No. assessing it to non-agricultural assessment.

ix) For breach of any of the above conditions the grant shall be liable for cancellation at the discretion of the Collector.

By order and in the name of the
Governor of Mysore,

(M.N. Gundu Rao)
Deputy Secretary to Government,
Agriculture & Forest Department.

To

The Divisional Commissioner, Belgaum.
The Collector of North Kanara, Karwar.
The Chief Conservator of Forests in Mysore, Bangalore.

2. He is requested to submit to Government draft notification regarding disforestment of the land under reference for publication in the Gazette.

3. The case papers (pages 1 to 125) are returned herewith.

The Conservator of Forests, Belgaum.

rln. 6/11/57.

Letter

MYSORE GOVERNMENT SECRETARIAT
NO. 11659
12 NOV 1957
ANIMAL HUSBANDARY & FOREST BRANCH

To

The Secretary to Government,
Agriculture and Forests Department,
Bangalore.

No.S 105/IV/244 Karwar, 8-11-1957.

AFD 119 DST 57

Subject: Request for grant of F.S.No.44 of Chandavar in Honavar taluka held on hangami lease by Shri Vasudev Ramayya Kamat..

Reference: 1. This office letter No.S 105/IV/244 of 6/11-6-1957. ~~5/11/57 SK 17/11~~

2. This office reminder No.S 105/IV/244 of 2-8-1957.

7628 9/8 S.K.

Early orders of Government may please be obtained.

(B.G.Kaujalgi) P.A. to
Collector of Kanara.

C. F. No. 45]

Telegram / phone

GOVERNMENT OF MYSORE

No. B3-99-827/57
Encls.

MYSORE GOVERNMENT SECRETARIAT
NO. 362
9 - JAN 1958
ANIMAL HUSBANDARY & FOREST BRANCH

OFFICE OF
Chief Conservator of Forests,
Mysore, Bangalore.

Date 12-1957.

6.1.58

To

The Secretary to Government,
Agriculture and Forest Department,
Bangalore.

Sir

Sub:-Grant of forest land out of F.S.No.4 of Chandavar in Honavar Taluka in favour of Sri Vasudev Ramayya Kamat-on hangami Lease.

Ref:-This office letter No.B3-99-827/57 dated 12-8-57.

In forwarding a copy of letter No.22/206/2378 dated 11-12-57 from the Conservator of Forests, Belgaum Circle addressed to the Deputy Commissioner, Kanara and copied to me on the subject, I have to state that the G.O. No.AFD 119 DST 57 dated 7-11-57 referred to in the Conservator of Forest's endorsement has not been received in this office. A copy of the same may kindly be forwarded along with the case papers for taking further action.

Yours faithfully,

(K.KADAMBI)
Chief Conservator of Forests.

AS/27/12.

31/c (28)

Cppy of letter No.22/206/12378 of 57-58 dated 11-12-57 from the Conservator of Forests, Belgaum Circle to the Deputy Commissioner, Kanara, Karwar.

Sub:-Disforestment of 8 gunthas in F.S.No.44 of Chandavar in Honavar Taluka in favour of Sri Vasudev Ramayya Kamat.

Ref:-Your letter Nos.105/IV 244 of 13-11-1957

--

The case papers are not received from the Chief Conservator of Forests in Mysore, Bangalore. They will be forwarded to you immediately on receipt from him.

Copy submitted to the Chief Conservator of Forests in Mysore, Bangalore with reference to Govt. order Agriculture and Forests Department No.AFD -119 DST 57 dated 7-11-1957.

2. The case papers on the subject may kindly be returned early for taking further action.

Cofwy

for Chief Conservator of Forests
in Mysore, Bangalore

Appendix F. G.—1]

SUBJECT: Grant of forest land out of F.S. No. 4 of Chandawae in Holadwae Taluka in favour of Shri Vasudev Ramayya Kamal.

Diary No. of letter replied to .....

Mysore Government Secretariat,

( )

the 195 .

Date of issue .....

Signed by .....

List of enclosures .....

Copied by .....

Examined by .....

Section

File No.

Serial No.

No. ARD 119 DST 57, 9.4.2.58.

To

The C.C.F. Blore

Sir,

Ref: Your letter No. B3-99-827/57, dated 6-1-1958, on the above subject.

2) I am directed to state that the G.O. No. ARD 119 DST 57, dated 7-11-57 ~~in this connection~~ along with the case papers, has been sent to you on 7-11-57. However a spare copy of the G.O. is sent herewith for your record.

Yours faithfully,

U.S. to Govt.

21/1/58

Blore

Express Letter

The Chief Conservator of Forests,
Mysore State, Bangalore.

No.S 105/IV/244 Karwar, 29-1-1958.

Subject: Disforestment of 8 gunthas in F.S.No. 44 of Chandavar in Honavar taluka in favour of Shri Vasudev Ramayya Kamat..

Reference: Govt. order No.AFD.119 DST.57 dated 7-11-1957.

The disforestment case (papers 1 to 125) sent to you under Government order referred to above, has not so far been received in this office.

The draft notifications are to be prepared and submitted to Government in this case after getting the area measured from the District Inspector of Land Records, Kanara.

The Conservator of Forests, Belgaum, has also intimated to this office that the papers in question have not so far been received from you.

You are, therefore, requested to arrange to send the papers of the case to this office immediately, in order to enable this office to take further action.

Sd/-
(B.G.Kaujalgi) P.A. to
Deputy Commissioner, Kanara.

Copy submitted to Government in Agriculture and Forests Department with reference to Government order No.AFD.119 DST.57 of 7-11-1957.

2. The papers of the disforestment case may kindly be arranged to be sent to this office at

P.T.O.

(29)

an early date if they are pending with Government.

(B.G.Kaujalgi) P.A.to
Deputy Commissioner,Kanara.

28/1

Sh
4
31/1

M. G. S. App. F. G. 3]

MYSORE GOVERNMENT

SECRETARIAT.

(Continuation sheet draft form).

Issued
18/4/58.

Subt: Dis forest-ment of 8 Gs in 125/H. No 46 of Chandapur in Honnavar Taluka in favour of Shri Vasudev Ramayya Kamat.

No. AFD 119 DGTS 57. 18.2.58.

See case papers

To

The Dy Comm Belgaum Karwar

Sir,

Ref:- your letter No. S.105/IV/364, dated 29-1-1958, addressed to the C.C.F, B'lore and a copy endorsed to the Govt, on the subject.

2) I am directed to return herewith the connected case papers. Please acknowledge this receipt of papers.

Yf.

Ws/c PRS to Govt
8/2/58. Sd/- 12 D B'lore

Copy forwd to the C.C.F. B'lore for information.

2) The case papers were

WD 03737-GPB—PZS- 50,000—1-3-56.

remained here through over night.
They are ~~not~~ now sent to the
Dy Comm Belgaum Circle.

C. F. No. 45]

GOVERNMENT OF MYSORE

39/c (32)

OFFICE OF

No. B3-99-827/57
Encls.

Chief Conservator of Forests
at Mysore, Bangalore

To

Date 6-2-1958

The Secretary to Government,
Agriculture and Forest Departments,
Bangalore.

Sir

Sub:-Grant of forest land out of F.S.No.44 of Chandavar in Honavar taluka in favour of Sri Vasudev Ramayya Kamat.

GOVERNMENT SECRETARIAT
No. 1708
FEB 1958
AGRICULTURE, FORESTS & FORESTS BRANCH

I invite your kind reference to my letter even number dated 7-1-1958 on the above subject and request you to forward a copy of the G.O.No.AFD 119 DST 57 dated 7-11-57 along with the case papers for taking further action in the matter, as pressing reminders are being received from the Deputy Commissioner, Karwar.

Yours faithfully,

(K.KADAMBI)
Chief Conservator of Forests.

SK

AS/4/2.

M. G. S. App. F. G. 3]

MYSORE GOVERNMENT

SECRETARIAT.

(Continuation sheet draft form).

Issued
12.3.58

AF

41/c (33)

Sub:- Grant of forest land out of R.S. No. 46 of Chandawar in Honawar Taluk in favour of Shri Vasudeo Ramappa Kamat.

No. AF-D119 DST 57 of 12.3.58

To

The C.C.F. Blore

Sir,

Ref:- Your letter No. B3-99-827/57, dated 6-2-1958, on the above subject.

2) I am directed to state that the concerned case papers have already been sent to the Dy Comm Belgaum on 18-2-1958.

Yours faithfully,

Secy. to Govt.

Copy of D.S. to Govt
19/2/58 AD PD Blore

WD-05448-GPB—PZS—90,000-27-9-56.

43/C 34

GOVERNMENT SE
NO.....
10 MAR 1958
& F. DEPTT., CO-OPERATION BRANCH

No.RB/WS-III-B/861. Office of the Deputy Commissioner,
Belgaum. Dt. 3rd March, 1958.

To

The Secretary to Government,
Agriculture and Forest Department,
Bangalore.

Subject:- Disforestment of 8 Gunthas in Forest S.No. 44 of Chandawar of Honawar - Taluka in favour of Shri.Vasudeo Ramayya Kamat.

MYSORE GOVERNMENT SECRETARIAT
NO.3388
10 MAR 1958
ANIMAL HUSBANDARY & FOREST BRANCH

Reference Government letter No.AFD-119-DST-57, dated 18- 2-1958.

2- The papers of the case missent to this office with the Government letter under reference are being forwarded to the Deputy Commissioner,NorthKanara as Honawar Taluka is in that District.

Forest

RVB/6-3.

For Deputy Commissioner,Belgaum.

(25)

Std. Sectt. 78 e.

G.R., G.D., No. 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET

Subject :—

File No. FLD 1358/95480

A&F DEPT.

E BRANCH.

References :—

Date.	To whom sent.	Notes and instructions.

Letter

To

The Secretary to Government,
Agriculture and Forests Department,
Bombay.

No.S 105/IV/244. Karwar, 23-8-1956.

AGRICULTURE & FOREST DEPT.
Date of Receipt 27 AUG 1956
File No. FLD1356
Serial No. E-95-480

Subject: Grant of forest land out of F.S.No. 44 of Chandavar held on hangami lease.

In submitting herewith the correspondence regarding grant of an area of 0-8-0 G. out of F.S.No. 44 of Chandavar in Honavar taluka, I have to state as under:

2. The applicant Shri Vasudev Ramayya Kamat of Chandavar was granted an area of 0-8-0 G. out of F.S.No. 44 of Chandavar village in Honavar taluka for erecting a house for residential purpose on hangami lease by the Divisional Forest Officer, W.D., Kanara in the year 1954 (page 25). On receipt of Govt. Resolution, Agriculture & Forests Department No. FDM 1054 dated 7-3-1955, the Divisional Forest Officer, submitted proposals for disforestment of the area in favour of the hangami lessee(D.F.O's endorsement No.G/15744 of 1955-56 dated 1-3-1956, page 43).

3. During the course of enquiry, it is reported that the grazing area of the village is adequate being 4201-29-0 A. G. as against 702 heads of cattle and that the applicant has no lands either as owner or as tenant. It is further reported that the villagers have got strong objection for the disposal of this land to the applicant as it adjoins the Kumta - Siddapur District Local Board road. The Mamlatdar, on enquiry, has reported that the objections put forth by the villagers are not tenable as there is sufficient area adjoining this road(Mamlatdar's report

P.T.O.

is at page 81). The residents of the village did not object to the grant of the area at the initial stage i.e. while granting the land on hangami lease (statements given by the villagers on 29-9-1954 at page 17). The objections raised now do not, therefore, deserve any consideration as the lessee has already constructed his residential house.

The house has already been constructed at a distance of 60 feet from the centre of the D.L.B.road as against the set back limit of 100 feet from the centre of the road which is classified as Provincial High Way. But while granting the land on hangami lease by the Forest Department, the condition of set back limit of 100 feet was not imposed in the lease. But from the enquiry papers, it is seen that the lessee has constructed his residential house and has used the remaining area for fruit cultivation by expending an amount of Rs.300/-(page 40). Hence the Ribbon Development orders may not be enforced in this case, as the area is used for agricultural purpose.

5. The applicant is however, willing to remove the structure at the time of road widening without claiming any compensation(page 85). The applicant has no other land either on khata or as tenant for constructing his house(vide Mamlatdar's report at page 81). If the area of 8 gunthas is granted after disforestment for agricultural purpose, it will form a fragment. The area is to be granted for residential purpose. The applicant is, however, willing to pay non-agricultural assessment over the area. The Mamlatdar has also recommended the grant of the area after forming it into a non-agricultural S.No.

6. In view of the orders contained in G.R.,A.& F.D.

No.FDM 1054 dated 28-1-1955 and FDM 1054 dated 7-3-1955, the Collector can grant the area after disforestment only in case the area is required for agricultural purpose. There is no provision in the said G.Rs. to grant the area by the Collector for non-agricultural use.

7. Under these circumstances, Government may be moved to accord sanction to the disforestment of the an area of 8 gunthas out of F.S.No.44 of Chandavar in Honavar taluka and to its grant in favour of Shri Vasudev Ramayya Kamat of Chandavar subject to the following terms and conditions:-

1. The tenure shall be new and impartible.
2. The grantee shall pay the occupancy price to be fixed by the Prant Officer.
3. The grantee shall pay the measurement fees to be fixed by the Survey Department.
4. The grantee shall pay the non-agricultural assessment to be fixed by the Prant Officer under rule 31(2) Land Revenue Rules.
5. The grantee shall preserve the forest trees in the area till disposed of by the Forest Department.
6. The grantee shall remove the present house and vacate the area without claiming any compensation if the land is required hereafter for road widening purpose.
7. The grantee shall comply with the building conditions and Ribbon Development orders at the time of rebuilding the house.
8. The grantee shall execute the Kabulayat in Form 'H' appended to Land Revenue Rules embodying the above mentioned additional conditions.
9. The area shall be measured and formed into a separate S.No. assessing it to non-agricultural assessment.

For breach of any of the above conditions, the grant shall be liable for cancellation at the discretion of the Collector.

o.c.signed
by Collr.

P.A.
for Collector of Kanara.

PTO

23/8

By Regd Post.
AD

(39)

No. FLD 1356/95480/E
Agriculture and Forests Department
Bombay, 15th September 1956

Forwarded to the Conservator of Forests, Southern Circle / Chief Conservator of Forests, through whom this should have been submitted) for favour of remarks.

Superintendent
Agriculture and Forests Department

Accepts :- Case PAs

15/9/56

Conservator of Forests
Inward No. 3993
Date 21/9/56

20 SEP 1956

Dave pl.
15/9

Regd
M. issue Memo after taking note of return of Coll's letter to Consr. in the diary
15/9/56

PROCEEDINGS OF THE GOVERNMENT OF MYSORE

Read:

Letter No. 105/IV/244, dated 23-8-56 from the Collector of N. Kanara, Karwar proposing the disforestment of an area of 8 guntas out of F.S.No. 44 of Chandavar held on hangani lease.

2. Letter No. BS-70-G27/57, dated 15-6-57 from the Chief Conservator of Forests, Bangalore.

ORDER No. ARD 110 DLF 57

BANGALORE, DATED, 7.11.57

An area of 8 guntas out of F.S.No. 44 of Chandavar in Honnavar Taluka, District North Kanara, which is already held on hangani lease by Shri Vasudeo Ramayya Kamat, should be disforested and surrendered to the Revenue Department for being granted to Shri Vasudeo for non-agricultural purpose, subject to the following conditions.

i) The tenure shall be new and impartiable.

ii) The grantee shall pay the occupancy price to be fixed by the Grant Officer.

iii) The grantee shall pay the measurement fees to be fixed by the Survey Department.

iv) The grantee shall pay the non-agricultural assessment to be fixed by the Grant Officer under Rule 61(2) Land Revenue Rules.

v) The grantee shall preserve the forest trees in the area till disposed of by the Forest Department.

vi) The grantee should remove the structure of the present house beyond the building line of 100' from the Centre of the Road.

vii) The grantee shall execute the kabuliyat in form 'E' appended to Land Revenue Rules embodying the above mentioned additional conditions.

viii) The area shall be measured and formed into a separate S.No. assessing it to non-agricultural assessment.

ix) For breach of any of the above conditions the grant shall be liable for cancellation at the discretion of the Collector.

By order and in the name of the
Governor of Mysore,

(M.N. Gundu Rao)
Deputy Secretary to Government,
Agriculture & Forest Department.

To

The Divisional Commissioner, Belgaum.
The Collector of North Kanara, Karwar.
The Chief Conservator of Forests in Mysore, Bangalore.

2. He is requested to submit to Government draft notification regarding disforestment of the land under reference for publication in the Gazette.

3. The case papers (pages 1 to 126) are returned herewith.

The Conservator of Forests, Belgaum.

Km. 6/11/57.